

00862.022032

PATENT APPLICATION



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
	:	Examiner: Jack I. Berman
HIROSHI TSUJI ET AL.)	
	:	Group Art Unit: 2881
Appl. No.: 09/691,234)	
	:	
Filed: October 19, 2000)	
	:	
For: ELECTRON BEAM LITHOGRAPHY)	
APPARATUS	:	
)	
U.S. Patent No. 6,730,916 B1	:	
)	
Issued: May 4, 2004	:	February 7, 2006

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION UNDER 37 C.F.R. § 1.183
TO CORRECT ASSIGNEE INFORMATION

Sir:

The undersigned, on behalf of Patentees, respectfully requests the Commissioner to suspend the rules to permit correction of the name of Patentees' assignee on the subject patent by reprinting the cover page of U.S. Patent No. 6,730,916 B1. The petition fee under 37 C.F.R. § 1.17(h) will be addressed in the Conclusion section below.

FACTS

1. Patentees received a Notice of Allowance and Issue Fee Due, bearing a mailing date of November 26, 2003 (copy attached as Exhibit 1).
2. Patentees paid the issue fee on February 11, 2004 and inadvertently included "CANON KABUSHIKI KAISHA, TOKYO, JAPAN" as the sole assignee on the issue fee transmittal (Form PTOL-85). A copy of the Form PTOL-85 is attached as Exhibit 2.
3. An assignment of the above-identified application to CANON KABUSHIKI KAISHA, and HITACHI, LTD. was filed in the Patent Office on January 18, 2001, which assignment was recorded at Reel 011452, Frame 0093, with a recordation date of January 18, 2001. A copy of the recorded assignment, together with a copy of the Notice Of Recordation, are attached as Exhibit 3.
4. On April 2, 2004, Patentees filed a Request under 37 C.F.R. § 3.81(b) to Issue Patent in Name of Assignee (the Request) together with a check in the amount of \$130.00 to cover the processing fee under 37 C.F.R. § 1.17(i), as is evidenced by a copy of the postcard with the PTO stamp of receipt thereon. (See Exhibit 4).
5. U.S. Patent No. 6,730,916 B1 issued on May 4, 2004, bearing "CANON KABUSHIKI KAISHA, TOKYO (JP)" in the section entitled "(73) Assignee" on the cover page of the patent.
6. Patentees' attorney of record is filing a Certificate of Correction and Request for Reprinted Cover Page of Letters Patent for the subject patent concurrently herewith (Exhibit 5) requesting the insertion of the correct name and address information of both Assignees on the cover page of the patent, and also requesting the reprinting of that cover page. The original Letters Patent is attached as Exhibit 6.

RELIEF REQUESTED

The Commissioner is respectfully requested to waive 37 C.F.R. § 3.81(a) and permit correction of the Assignee name after issuance of the patent, by granting the request for Certificate of Correction filed concurrently herewith, and reprinting the cover page of the Letters Patent to correct the Assignees' information. In particular, on the cover page at (73) Assignee, "Canon Kabushiki Kaisha, Tokyo (JP)" should be changed to --Canon Kabushiki Kaisha, Tokyo (JP) and Hitachi Ltd., Tokyo (JP)--. The error noted in item 2 above (i.e., the failure to include this information on the Form PTOL-85) was an inadvertent error made by the Patentees' attorney and the correction is within the interests of justice, especially since the Patent and Trademark Office was respectfully requested to correct that error in the Request identified in item 4 above, prior to issuance of the patent. The undersigned believes this Petition is in compliance with the requirements set forth in M.P.E.P. §§ 307 and 1481.

CONCLUSION

Favorable consideration hereof is respectfully solicited.

Because a check in the amount of \$130.00 for the Request identified in item 4 above already has been submitted to the Patent and Trademark Office, it is believed that no additional petition fee should be required. However, if an additional petition fee is required, please charge the fee, or credit any overpayment, to Deposit Account 06-1205.

Patentees' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address given below.

Respectfully submitted,



Frank A. DeLucia
Attorney for Patentees
Registration No. 42,476

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200

NY_MAIN 519945v1



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER-FOR-PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

NOTICE OF ALLOWANCE AND FEE(S) DUE

DEC - 1 2003

5514 7590 11/26/2003

FITZPATRICK CELLA HARPER & SCINTO
30 ROCKEFELLER PLAZA
NEW YORK, NY 10112

EXAMINER: BERMAN, JACK T

Table with 2 columns: ART UNIT (2881), PAPER NUMBER

DATE MAILED: 11/26/2003

Table with 5 columns: APPLICATION NO. (09/691,234), FILING DATE (10/19/2000), FIRST NAMED INVENTOR (HIROSHI TSUJI), ATTORNEY DOCKET NO. (862.C2032), CONFIRMATION NO. (5023)

TITLE OF INVENTION: ELECTRON BEAM LITHOGRAPHY APPARATUS

Table with 6 columns: APPLN. TYPE (nonprovisional), SMALL ENTITY (NO), ISSUE FEE (\$1330), PUBLICATION FEE (\$0), TOTAL FEE(S) DUE (\$1330), DATE DUE (02/26/2004)

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATEN PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHT THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPO PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM TH MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. TH STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE REFLECTS A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE APPLIED IN THIS APPLICATION. THE PTOL-85B (O AN EQUIVALENT) MUST BE RETURNED WITHIN THIS PERIOD EVEN IF NO FEE IS DUE OR THE APPLICATION WILL BE REGARDED AS ABANDONED.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status is changed, pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above and notify the United States Patent and Trademark Office of the change in status, or

FILE NO. 0916-022032
ATTORNEY FAD
2/24/04
DOCKETED 12/1/03

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is n claiming SMALL ENTITY status, check the box below and encl the PUBLICATION FEE and 1/2 the ISSUE FEE shown above.

Applicant claims SMALL ENTITY status. See 37 CFR 1.27.

II. PART B - FEE(S) TRANSMITTAL should be completed and returned to the United States Patent and Trademark Office (USPTO) w your ISSUE FEE and PUBLICATION FEE (if required). Even if the fee(s) have already been paid, Part B - Fee(s) Transmittal should completed and returned. If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should completed and an extra copy of the form should be submitted.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

Table with 5 columns: APPLICATION NO., FILING DATE, FIRST NAMED INVENTOR, ATTORNEY DOCKET NO., CONFIRMATION NO.
09/691,234 10/19/2000 HIROSHI TSUJI 862.C2032 5023

5514 7590 11/26/2003
FITZPATRICK CELLA HARPER & SCINTO
30 ROCKEFELLER PLAZA
NEW YORK, NY 10112

EXAMINER

BERMAN, JACK I

ART UNIT PAPER NUMBER

2881

DATE MAILED: 11/26/2003

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)
(application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 110 day(s). If the issue fee is paid on the date that is three months after t mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a ha months) after the mailing date of this notice, the Patent Term Adjustment will be 110 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date th determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) system (http://pair.uspto.gov).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office Patent Legal Administration at (703) 305-1383. Questions relating to issue and publication fee payments should directed to the Customer Service Center of the Office of Patent Publication at (703) 305-8283.



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

Table with columns: APPLICATION NO., FILING DATE, FIRST NAMED INVENTOR, ATTORNEY DOCKET NO., CONFIRMATION NO.
Row 1: 09/691,234, 10/19/2000, HIROSHI TSUJI, 862.C2032, 5023
Row 2: 5514, 7590, 11/26/2003, EXAMINER BERMAN, JACK I
Row 3: FITZPATRICK CELLA HARPER & SCINTO, 30 ROCKEFELLER PLAZA, NEW YORK, NY 10112, ART UNIT 2881, PAPER NUMBER
DATE MAILED: 11/26/2003

Notice of Fee Increase on October 1, 2003

If a reply to a "Notice of Allowance and Fee(s) Due" is filed in the Office on or after October 1, 2003, then the amount due will be higher than that set forth in the "Notice of Allowance and Fee(s) Due" since there will be an increase in fees effective on October 1, 2003. See Revision of Patent Fees for Fiscal Year 2004; Final Rule, 68 Fed. Reg. 41532, 41533, 41534 (July 14, 2003).

The current fee schedule is accessible from (http://www.uspto.gov/main/howtofees.htm).

If the fee paid is the amount shown on the "Notice of Allowance and Fee(s) Due" but not the correct amount in view of the fee increase, a "Notice of Pay Balance of Issue Fee" will be mailed to applicant. In order to avoid processing delays associated with mailing of a "Notice of Pay Balance of Issue Fee," if the response to the Notice of Allowance is to be filed on or after October 1, 2003 (or mailed with a certificate of mailing on or after October 1, 2003), the issue fee paid should be the fee that is required at the time the fee is paid. If the issue fee was previously paid, and the response to the "Notice of Allowance and Fee(s) Due" includes a request to apply a previously-paid issue fee to the issue fee now due, then the difference between the issue fee amount at the time the response is filed and the previously-paid issue fee should be paid. See Manual of Patent Examining Procedure, Section 1308.01 (Eighth Edition, August 2001).

Effective October 1, 2003, 37 CFR 1.18 is amended by revising paragraphs (a) through (c) to read as set forth below

Section 1.18 Patent post allowance (including issue) fees.

- (a) Issue fee for issuing each original or reissue patent, except a design or plant patent:
By a small entity (Sec. 1.27(a))..... \$665.00
By other than a small entity..... \$1,330.00
(b) Issue fee for issuing a design patent:
By a small entity (Sec. 1.27(a))..... \$240.00
By other than a small entity..... \$480.00
(c) Issue fee for issuing a plant patent:
By a small entity (Sec. 1.27(a))..... \$320.00
By other than a small entity..... \$640.00

Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at (703) 305-8283.

Notice of Allowability

Application No.

09/691,234

Examiner

Jack I. Berman

Applicant(s)

TSUJI ET AL.

Art Unit

2881

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. This communication is responsive to the amendment filed 10/09/03 and the RCE filed 11/4/03.
2. The allowed claim(s) is/are 1,2,7-15 and 18-49.
3. The drawings filed on 03 March 2003 are accepted by the Examiner.
4. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) All b) Some* c) None of the:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).* Certified copies not received: _____.
5. Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
(a) The translation of the foreign language provisional application has been received.
6. Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

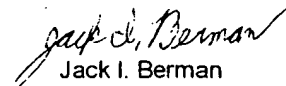
7. A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
8. CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
(a) including changes required by the Notice of Draftperson's Patent Drawing Review (PTO-948) attached
1) hereto or 2) to Paper No. _____.
(b) including changes required by the proposed drawing correction filed _____, which has been approved by the Examiner.
(c) including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the margin according to 37 CFR 1.121(d).

9. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| 1 <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5 <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2 <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | 6 <input type="checkbox"/> Interview Summary (PTO-413), Paper No. _____ |
| 3 <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No. _____ | 7 <input type="checkbox"/> Examiner's Amendment/Comment |
| 4 <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8 <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9 <input type="checkbox"/> Other |


Jack I. Berman
Primary Examiner
Art Unit: 2881

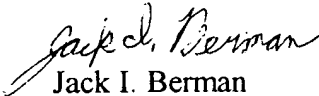
The following is an examiner's statement of reasons for allowance: In addition to the reasons set forth in the Final Rejection mailed on June 4, 2003, the prior art does not teach to provide a magnetic shield surrounding surfaces of the magnet on a moving yoke in a linear motor that do not face an electromagnetic coil, or to provide a first magnetic field shield between a stage driver, which has a magnet and an electromagnetic coil, and a sample on the stage moved by the driver and a second magnetic field shield between the first shield and the sample.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the ⁵⁷¹⁻²⁷²⁻²⁴⁶⁸ examiner should be directed to Jack I. Berman whose telephone number is (703) 308-4849. The examiner can normally be reached on M-F (8:30-6:00) with every second Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John R. Lee can be reached on (703) 308-4116. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9318.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.


Jack I. Berman
Primary Examiner
Art Unit 2881

Notice of References Cited	Application/Control No. 09/691,234	Applicant(s)/Patent Under Reexamination TSUJI ET AL.	
	Examiner Jack I. Berman	Art Unit 2881	Page 1 of 1

U.S. PATENT DOCUMENTS

*	Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
A	US-6,614,034	09-2003	Nakasuji, Mamoru	250/492.22
B	US-			
C	US-			
D	US-			
E	US-			
F	US-			
G	US-			
H	US-			
I	US-			
J	US-			
K	US-			
L	US-			
M	US-			

FOREIGN PATENT DOCUMENTS

*	Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
N					
O					
P					
Q					
R					
S					
T					

NON-PATENT DOCUMENTS

*	Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
U	
V	
W	
X	

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: **Mail**

**Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450
(703) 746-4000**

or **Fax**

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 4 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Legibly mark-up with any corrections or use Block 1)

Note: A certificate of mailing can only be used for domestic mailings of Fee(s) Transmittal. This certificate cannot be used for any other accompany papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

5514 7590 11/26/2003

**FITZPATRICK CELLA HARPER & SCINTO
30 ROCKEFELLER PLAZA
NEW YORK, NY 10112**

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/691,234	10/19/2000	HIROSHI TSUJI	862.C2032	5023

TITLE OF INVENTION: ELECTRON BEAM LITHOGRAPHY APPARATUS

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1330	\$0	\$1330	02/26/2004

EXAMINER	ART UNIT	CLASS-SUBCLASS
BERMAN, JACK I	2881	250-396000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
- "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

- 1 Fitzpatrick, Cella,
- 2 Harper & Scinto
- 3 _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. Inclusion of assignee data is only appropriate when an assignment has been previously submitted to the USPTO or is being submitted under separate cover. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE (B) RESIDENCE: (CITY and STATE OR COUNTRY)

CANON KABUSHIKI KAISHA TOKYO, JAPAN

Please check the appropriate assignee category or categories (will not be printed on the patent); individual corporation or other private group entity government

4a. The following fee(s) are enclosed:

- Issue Fee
- Publication Fee
- Advance Order - # of Copies 5

4b. Payment of Fee(s):

- A check in the amount of the fee(s) is enclosed.
- Payment by credit card. Form PTO-2038 is attached.
- The Director is hereby authorized by charge the required fee(s), or credit any overpayment Deposit Account Number _____ (enclose an extra copy of this form).

Director for Patents is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

(Authorized Signature) Frank W. [Signature] (Reg. No.) 42,476 (Date) February 10, 2004

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Alexandria, Virginia 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

(AFTER APPLICATION FILED)

ASSIGNMENT OF PATENT RIGHTS FOR THE UNITED STATES

FOR VALUE RECEIVED, We, Hiroshi TSUJI, Mitsuru INOUE, Norio SAITOU,
Yasuhiro SOMEDA and Yoshimasa FUKUSHIMA

citizens of Japan

residing respectively at

Kokubunji, Japan; Tochigi, Japan; Tokorozawa, Japan;
Fuchu, Japan; and Hitachinaka, Japan

hereby sell, assign, transfer and convey unto

(1) Canon Kabushiki Kaisha
(2) Hitachi, Ltd.

a corporation of Japan

having a place of business at

(1) 30-2, Shimomaruko 3-chome, Ohta-ku, Tokyo, Japan

(2) 6, Kanda Surugadai 4-chome, Chiyoda-ku, Tokyo 101-8010,
Japan

its successors, assigns and legal representatives (hereinafter called the "Assignee"), the entire right, title
and interest, for the United States, in and to certain inventions relating to

ELECTRON BEAM LITHOGRAPHY APPARATUS

and described in an application for Letters Patent of the United States filed by us on October 19, 2000
and which has been accorded Application No. 09/691,234 and in and to said application, and all divisions,
renewals and continuations thereof, and all Letters Patent of the United States which may be granted thereon, and
all reissues and extensions thereof; and we hereby authorize and request the Commissioner for Patents and
Trademarks of the United States to issue all Letters Patent upon said inventions to the Assignee or to such
nominees as it may designate.

AND we authorize and empower the said Assignee or nominees to invoke and claim for any application for
patent or other form of protection for said inventions, the benefit of the right of priority provided by the
International Convention for the Protection of Industrial Property, as amended, or by any convention which may
henceforth be substituted for it, and to invoke and claim such right of priority without further written or oral
authorization from us.

AND we hereby consent that a copy of this assignment shall be deemed a full legal and formal equivalent of any
assignment, consent to file or like document which may be required in the United States for any purpose and
more particularly in proof of the right of Assignee or nominees to claim the aforesaid benefit of the right of
priority provided by the International Convention for the Protection of Industrial Property, as amended, or by any
convention which may henceforth be substituted for it.

AND we hereby covenant that we have the full right to convey the entire right, title and interest herein assigned
and that we have not executed and will not execute any agreement in conflict herewith.

AND we hereby covenant and agree that we will communicate to said Assignee or nominees all facts known to us pertaining to said inventions, and testify in all legal proceedings, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and declarations and in general perform all lawful acts necessary or proper to aid said Assignee or nominees in obtaining, maintaining and enforcing all lawful patent protection for said inventions in the United States.

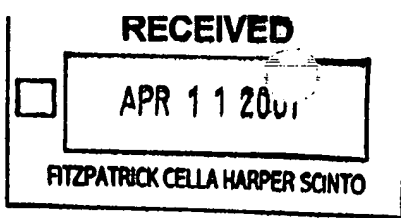
By: Hiroshi Tsuji Date: November 24, 2000
Hiroshi TSUJI

By: Mitsuru Inoue Date: November 21, 2000
Mitsuru INOUE

By: Norio Saitou Date: November 24, 2000
Norio SAITOU

By: Yasuhiro Someda Date: December 3, 2000
Yasuhiro SOMEDA

By: Yoshimasa Fukushima Date: November 28, 2000
Yoshimasa FUKUSHIMA



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
 ASSISTANT SECRETARY AND COMMISSIONER
 OF PATENTS AND TRADEMARKS
 Washington, D.C. 20231

APRIL 04, 2001

PTAS
 FITZPATRICK, CELLA, HARPER & SCINTO
 JOSEPH W. RAGUSA
 30 ROCKEFELLER PLAZA
 NEW YORK, NEW YORK 10112-3801



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862.C2032

UNITED STATES PATENT AND TRADEMARK OFFICE
 NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 01/18/2001

REEL/FRAME: 011452/0093
 NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:
 TSUJI, HIROSHI

DOC DATE: 11/24/2000

ASSIGNOR:
 INOUE, MITSURU

DOC DATE: 11/21/2000

ASSIGNOR:
 SAITOU, NORIO

DOC DATE: 11/24/2000

ASSIGNOR:
 SOMEDA, YASUHIRO

DOC DATE: 12/03/2000

ASSIGNOR:
 FUKISHIMA, YOSHIMASA

DOC DATE: 11/28/2000

ASSIGNEE:
 CANON KABUSHIKI KAISHA
 30-2, SHIMOMARUKO 3-CHOME, OHTA-KU
 TOKYO, JAPAN

011452/0093 Pt. 2

ASSIGNEE:
HITACHI, LTD.
6, KANDA SURUGADAI 4-CHOME,
CHIYODA-KU
TOKYO 101-8010, JAPAN

SERIAL NUMBER: 09691234
PATENT NUMBER:

FILING DATE: 10/19/2000
ISSUE DATE:

MARCUS KIRK, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

1.19.01

01-29-2001

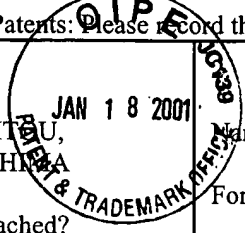
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Form-PTO-1595 TRANSMITTAL OF DOC PATENTS ONLY 101595944 Atty. Docket: 862.C2032

To the Assistant Commissioner for Patents: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies): HIROSHI TSUJI, MITSURU INOUE, NORIO SAITOH, YASUHIRO SOMEDA and YOSHIMASA FUKISHIMA. Name and address of receiving party(ies): Name: CANON KABUSHIKI KAISHA and HITACHI, LTD. Foreign Address: 30-2, Shimomaruko 3-chome, Ohta-ku Tokyo, Japan and 6, Kanda Surugadai 4-chome, Chiyoda-ku, Tokyo 101-8010, Japan respectively



3. Nature of conveyance: [X] Assignment [] Merger [] Security Agreement [] Change of Name [] Other. Execution Date: 11/24/00, 11/21/00, 11/24/00, 12/3/00 and 11/28/00 respectively. Domestic Address: City: State ZIP. Additional name(s) & address(es) attached? [] Yes [X] No

4. Application number(s) or patent number(s): If this document is being filed together with a new application, the execution date of the application is: A. Patent Application Number: 09/691,234 Filing Date: October 19, 2000 B. Title of Invention: ELECTRON BEAM LITHOGRAPHY APPARATUS Additional numbers attached? [] Yes [X] No

5. Name and address of party to whom correspondence concerning document should be mailed: Name: Fitzpatrick, Cella, Harper & Scinto 30 Rockefeller Plaza New York, New York 10112-3801 Telephone No.: (212) 218-2100 Facsimile No.: (212) 218-2200 6. Number of applications and patents involved: One 7. Total fee (37 CFR 3.41): \$ 40.00 [X] Enclosed [] Authorized to be charged to deposit account 8. Deposit account number (for deficiency or excess) 06-1205 (Attach duplicate copy of this page if paying by deposit account):

01/29/2001 DBYRNE 00000188 09691234 DO NOT USE THIS SPACE 01 FC:581 40.00 OP

9. Statement and signature. To the best of my knowledge and belief, the foregoing information is true and the attached is the original document or is a true copy of the original document. 38,586 Joseph W. Ragusa Name of Person Signing Signature January 17, 2001 Date

Total number of pages including cover sheet, attachments, and documents: 3

Mail STOP ISSUE FEE
Commissioner for Patents

P.O. Box 1450
Alexandria, VA 22313-1450

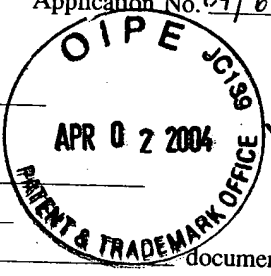
Date 4, 2, 04
Mo. Day Yr.

Atty. Docket 00862-02032

Application No. 09/691,234

Sir:
Kindly acknowledge receipt of the accompanying:

- Response to Official Action. _____
 - Check for \$ 130.00 (~~claims fee~~)
 - Petition under 37 CFR 1.136 and Check for \$ _____
 - Notice of Appeal and Check for \$ _____
 - Information Disclosure Statement, PTO-1449 and _____ documents
 - Claim for priority and certified copies of _____ priority applications
 - Issue fee transmittal and Check for \$ _____
 - Other (specify) Request under 37 C.F.R. § 3.81 (b) TO ISSUE
patent in Name of Assignee
- by placing your receiving date stamp hereon and mailing or returning to deliverer.



FOHS-B-00

Atty. AMG

Due Date N / D / D
Mo. Day Yr.

37 CFR 1.8

37 CFR 1.10

By Hand

00862.022032

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
HIROSHI TSUJI ET AL.)	Examiner: Jack I. Berman
Appl. No.: 09/691,234)	Group Art Unit: 2881
Filed: October 19, 2000)	
For: ELECTRON BEAM LITHOGRAPHY)	
APPARATUS)	April 2, 2004

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST UNDER 37 C.F.R. § 3.81(b)
TO ISSUE PATENT IN NAME OF ASSIGNEE

Sir:

Applicants respectfully request under 37 C.F.R. § 3.81(b) that the Commissioner issue the patent in the above-identified application in the name of the present assignees of record,

CANON KABUSHIKI KAISHA, Tokyo, Japan

Hitachi, Ltd., Tokyo, Japan

A check in the amount of \$130.00 is enclosed to cover the processing fee under 37 C.F.R. § 1.17(i).

FACTS

1. Applicants received a Notice of Allowance and Issue Fee Due bearing a mailing date of November 26, 2003.
2. Applicants paid the issue fee on February 11, 2004 and inadvertently included "CANON KABUSHIKI KAISHA, Tokyo, Japan" as the sole assignee on the

issue fee transmittal (Form PTOL-85). A copy of the Form PTOL-85 is attached as Exhibit 1.

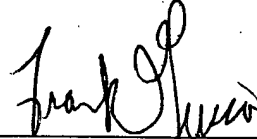
3. An assignment of the above-identified application to CANON KABUSHIKI KAISHA, and Hitachi, Ltd., was filed in the Patent Office on January 18, 2001, which assignment was recorded at Reel 011452, Frame 0093, with a recordation date of January 18, 2001. A copy of the recorded assignment, together with a copy of the Notice Of Recordation, are attached as Exhibit 2.

RELIEF REQUESTED

The Commissioner is respectfully requested under 37 C.F.R. § 3.81(b) to issue the subject patent in the names of CANON KABUSHIKI KAISHA, Tokyo, Japan, and Hitachi, Ltd., Tokyo, Japan. The undersigned believes this Request is in compliance with the requirements set forth in M.P.E.P. §§ 307 and 1481. A check in the amount of \$130.00 is enclosed to cover the processing fee under 37 C.F.R. § 1.17(i) for this request. Any additional fees that may be deemed necessary by the Patent and Trademark Office, or overpayment of the fee, should be charged or credited to Deposit Account 06-1205.

Applicants' undersigned attorney may be reached in our New York, office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address given below.

Respectfully submitted,



Attorney for Applicants

Registration No. 42476

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
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